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11 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
12 **SAN FRANCISCO DIVISION**

13 TRADER JOE'S COMPANY, a California
corporation,

14 Plaintiff,

15 v.

16 DESERTCART TRADING FZE, a United
Arab Emirates company, PIFFERT INC., a
17 Delaware corporation, and DOES 1-5,

18 Defendants.
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Case No. 3:23-cv-01148-CRB

**DECLARATION OF SCOTT W. PINK IN
SUPPORT OF TRADER JOE'S *EX PARTE*
MOTION FOR PERMISSION TO EFFECT
SERVICE OF PROCESS BY
ALTERNATIVE MEANS AND
EXTENSION OF TIME TO SERVE
DEFENDANT DESERTCART TRADING
FZE**

Date: June 16, 2023
Time: 10:00 a.m.
Judge: Hon. Charles R. Breyer

DECLARATION OF SCOTT W. PINK

I, Scott W. Pink, declare as follows:

1. I am over 18 years of age and make this declaration based upon personal knowledge of facts set forth below except as to those matters stated on information and belief. As to those matters, I am informed and believe them to be true. If called upon to testify, I could and would testify under oath to the matters set forth herein.

2. I am an attorney licensed to practice law under the laws of the State of California and am special counsel with the law firm O'Melveny & Myers LLP, attorneys for Plaintiff Trader Joe's Company ("Trader Joe's") in this matter. This declaration is filed in support of Trader Joe's Motion to Serve Defendant DesertCart Trading FZE ("DesertCart") by Alternative Means, filed contemporaneously with this declaration.

3. On or about March 21, 2023, I spoke with Hamza Inatz of Defendant Piffert Inc. ("Piffert") on the telephone. I asked Mr. Inatz whether Piffert is related to DesertCart. Mr. Inatz informed me that Piffert has no corporate relationship to DesertCart.

4. On or about May 9, 2023, I spoke with Mr. Inatz again on the telephone. I asked Mr. Inatz whether he had any contact information for DesertCart. Mr. Inatz refused to provide such information, and informed me that it is "not their job to get us that information."

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and was executed on June 7, 2023 at Menlo Park, California.

By: /s/ Scott W. Pink
Scott W. Pink